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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/633,828	08/07/2000	Kuang-Shyr Wu	JCLA6306	2501

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J C Patents Inc
4 VENTURE
SUITE 250
IRVING, CA 92618

EXAMINER

SCHULTZ, WILLIAM C

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 12/30/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/633,828

Applicant(s)

WU ET AL.

Examiner

William C. Schultz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

.DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA [Applicant Admitted Prior Art] and further in view of Gorman et al. [U.S. Pat. 6,137,793].

Regarding claim 1, Applicant admits to the prior art disclosing a code division multiple access (CDMA) system having a separate channel card architecture, comprising:

a back-haul interface module connected to a controller of a cable network controlling station for bi-directional base-band digital signal transmission; **(fig. 1, parts 24, 26)**

a main channel card for receiving the base-band signals from the back-haul interface module and converting the base-band signals into middle frequency signals; **(fig. 1, parts 16 – the channel card performs transmission, looks like each channel card is separate for each channel)**

a middle frequency module for receiving the middle frequency signals from the main channel card and outputting the middle frequency signal to a radio frequency

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module, or receiving middle frequency signals from the radio frequency module; **(fig. 1, part 14)**

a reception channel card for receiving middle frequency signals from the middle frequency module, converting the middle frequency signals into baseband signals and outputting the base-band signals to the back-haul interface module; **(fig. 1, parts 16 - the channel card performs reception, looks like each channel card is separate for each channel)**

AAPA fails to disclose a random access card, a clock module and a cell controller.

Gorman et al. discloses a random access card for receiving middle frequency signals from the middle frequency module so that a user's electronic network can be found when the user's mobile telephone is switched on; **(fig. 6, part 603; col. 17, lines 17-25 – a new subscriber joining the network and receiving access is disclosed which performs the same limitations as disclosed above. The module part 603 could be a card in the figure)**

a clock module for generating a timing signal to the reception channel card and the random access card; and **(fig. 5, part 416, fig. 6, part 416; col. 15, lines 49-56 – disclosed is a timing circuit and a timing signal which is input to the part 603 from fig. 6)**

a cell controller for outputting control signals to the reception channel card and the clock module or inputting control signals from the reception channel card and the clock module to control the operations of the base station. **(from applicant's spec the**

cell controller controls the transmission of signals from the base station and the reception of signals to the base station; fig. 8,9 – part 701 RPM; col. 17, lines 52-67 – the RPM controls as disclosed above)

It would have been obvious for one skilled in the art at the time of invention to modify the AAPA with Gorman et al. because it provides enhanced capacity handling as disclosed by Gorman. **(col. 18, lines 57-67)**

Regarding claims 2,6, Applicant admits to the prior art disclosing a processor, an ASIC and a D/A. The claims don't preclude the transceiver from reading on the claims just because it is labeled differently. The channel card transmits and receives.

Regarding claim 3, Applicant admits to the prior art disclosing the processor performs function including crc, convolutional encoding, rate matching, and interleave encoding. **(fig. 1, part 22; spec. pg. 2, lines 14-17)**

Regarding claim 4, Applicant admits to the prior art disclosing the ASIC performs function including power control, code spreading and includes a combining module and a modulation module. **(fig. 1, part 20; spec. pg. 2, lines 9-13)**

Regarding claim 5, Applicant admits to the prior art disclosing the radio frequency module outputs radio frequency signals to an antenna or receives radio frequency signals from the antenna followed by converting the radio frequency signals into middle frequency signals. **(fig. 1, part 12; spec. pg. 1, lines 18-22)**

Regarding claim 7, Applicant admits to the prior art disclosing the processor performs function including crc, Viterbi decoding, rate match decoding, and interleave

decoding, power control and bus connection between channel card and channel master.

(fig. 1, part 22; spec. pg. 2, lines 14-17)

Regarding claim 8, Applicant admits to the prior art disclosing the ASIC further including combining module and a RAKE receiver and the ASIC performs demodulation, despreading, peak detection, gold/walsh code generation, channel estimation and receiver synchronization. **(fig. 1, part 20; spec. pg. 2, lines 9-13)**


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Schultz whose telephone number is 703-305-2367. The examiner can normally be reached on M-F(7-4)(first bi-week) M-Th(7-4)(second bi-week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 703-305-4366. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

William Schultz
December 22, 2003


WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER
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